

FILED

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

JUL 30 2021

UNITED STATES DISTRICT COURTCARMELITA REEDER SHINN, CLERK,
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY DEPUTY

for the

Western District of Oklahoma



Tenth Circuit Division

Case No.

CIV 21 0758

(to be filled in by the Clerk's Office)

MALIK SHAKUR,

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

CITY OF MOORE,

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Malik Shakur		
Address	1100 NE 16th Street		
	Oklahoma City	OK	73117
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Oklahoma		
Telephone Number	(405) 977-8084		
E-Mail Address	pureegyptian0112@gmail.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	CITY OF MOORE		
Job or Title <i>(if known)</i>	Government Entity		
Address	301 N. Boardway Avenue		
	Moore	OK	
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Cleveland		
Telephone Number	(405) 793-5060		
E-Mail Address <i>(if known)</i>	rbrink@cityofmoore.com		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	CITY OF MOORE POLICE DEPARTMENT		
Job or Title <i>(if known)</i>	Sergeant Jeremy Lewis		
Address	117 E Main Street		
	Moore	OK	73160
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Cleveland		
Telephone Number	(405) 793-5171		
E-Mail Address <i>(if known)</i>			
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 3

Name CITY OF MOORE DEPARTMENT OF HUMAN SERVICES
 Job or Title (if known) ADULT PROTECTION SERVICES : SHANNA WOOD/ APS 111
 Address 2401 N Lincoln Blvd. #4
 Oklahoma City OK 73105
 City State Zip Code
 County Cleveland
 Telephone Number (405) 521-3660
 E-Mail Address (if known) shanna.wood@okdhs.org

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name CITY OF MOORE DEPARTMENT OF HUMAN SERVICES
 Job or Title (if known) ATTORNEY CHARLES M. JACKSON FOR THE (OKDHS)
 Address 2400 N Lincoln Blvd
 Oklahoma City OK 73105
 City State Zip Code
 County Cleveland
 Telephone Number (405) 521-3638
 E-Mail Address (if known) charles@jackson @okdhs.org

☐ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials? Defendant(s) 2&3 : Violated Oklahoma Statute 12 § 1441 and 12 § 1442 knowingly making false police report and broadcasting false information alleging “Elderly Abuse/Exploitation by Caregiver. Defendant (2) Violated plaintiffs 14th Amendment Right to equal protection of law. Defendant(s) 3&4 Violated plaintiffs Fourth Amendment “right to privacy” the right to be left alone to receive the enjoyment of financial and personal privacy that was invaded by Defendant(s) 3&4 embezzlement in 21 O.S. § 1451.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- Defendant(s) (3)&(4) conspired wilfully to deprive plaintiff of his First Amendment right not to be subjected to falsehoods that impugn his character, causing a false arrest in violation plaintiffs Fourth Amendment right by wrongfully taking away his freedom; subjecting him to an 8th Amendment violation of cruel and unusual punishment for no crime committed. To benefit state employees who manipulated financial records in a securities fraud & embezzlement scam. Defendant (2) Violated due process right

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
On February 20, 2019, Cleveland County District Attorney "Greg Mashburn" filed a felony criminal charge against plaintiff docketed Count # 1. Abuse, Neglect of person by caretaker, in violation of 21 O.S. 843.1.
Date of offense as: October 6, 2016.
- B. What date and approximate time did the events giving rise to your claim(s) occur?
On March 1, 2019, a warrant was issued for plaintiff, plaintiff appeared, warrant was recalled and plaintiff was released on bond amount of a \$1000.00.
On March 5, 2019, City of Moore Police Sgt. Jeremy Lewis was present on KFOR News knowingly lying, painting plaintiff in the false light; and deceiving the public with 'unprivileged' fake news.
On September 26, 2019, the State of Oklahoma dismissed plaintiffs charges a 'cost to state'.
- C. What are the facts underlying your claim(s)? (*For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)
Facts underlying this claim surrounds state employees who joined at the 'meeting of the minds' with wanted intent. To defraud the government by obtaining my mothers money for their personal benefit by means of false and fraudulent pretenses. Pursuant to 18 U.S.C 1341 The STATE OF OKLAHOMA, employees devised a scheme to make off with my mothers financial securities; protected under the Sabanes Oxly Act of 2002. State actors abused their media privilege using plaintiffs name and image to publicly scrutinize his character as being financial predator of the elderly. In order to fool the public and manipulate their books. In order to cover up their own embezzlement fraud of missing funds needed to balance their financial records for the IRS. Surrounding large sums of money stolen from my mother Lequetta Bowman an incapacitated persons monthly Social Security Insurance and TSP Federal Retirement Fund at the 'unclean hands' of (OKDHS) Adult Protection Services et al., Defendant (3) is the person of intent to defraud; appt. as my mothers temporary financial guardianship. Defendant (4) pursuant to Section 307 of Sabanes-Oxly instructs attorneys appearing and practicing before the agency to report material violation of securities law or breach of fiduciary duty to chief officer.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Plaintiff sustained injuries of emotional distress under 28 U.S.C 4101 for invasion of privacy. By misappropriation and right to publicity for unauthorized use of plaintiffs name and photo to be placed in a false light of public eye by: Defendant (2) The City of Moore Police Department failure to train Sgt Jeremy Lewis on the peoples rights pursuant to Oklahoma Constitution to be secure in their from SECTION II-30. Unreasonable searches or seizures without SECTION II-7. Due process of law pursuant to Oklahoma Police Manual 111.0 Procedural Justice Fairness denied to plaintiff before to taking steps to investigate a frivolous complaint that caused Plaintiff to lose his Federal security clearance at his job with Tinker Air Force Base. After his boss saw the KFOR News story/ interview with Moore Police Officer Sgt. Jeremy Lewis who knowingly and intentionally fabricated his entire story. Which deprived plaintiff of his u.s. constitutional right to Fifth Amendment fairness of due process to confront his accuser before being public persecuted. Sgt. Lewis purposely avoided the truth an rather chose to breach his oath and duty of care. In order to conspire as a wrongdoer taking part in securities. Breaching his public trust for whom he defamed the plaintiff and decieve the public for the benefit of his allies. Plaintiffs false arrest was a premeditated intentional act of malice to perpetrate fraud. In an attempt by state employees acting under color of state law to cover up their own white collar crime of elderly financial exploitation against my mother. By placing the crime on the black man to save themselves from federal prosecution. That would include criminal charges of elderly financial exploitation, embezzlement, insurance fraud and securities fraud. Pursuant to Oklahoma statute §21-843.1. Elder Financial Abuse. Thus, being an improper act committed by the defendants that intentionally violated plaintiffs civil liberties. Plaintiff continues to suffer from ongoing stress from public scrutiny and private scandal.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Plaintiff seeks relief in the amount \$200,000,000.00 for actual damages of fraud by government employees;

being persons under the "False Claims Act," who defrauded a government program allotting temporary financial guardianship to Defendant(s) City of Moore ADULT PROTECTION SERVICES (OKDHS). Wherefore, Plaintiff seeks \$50,000,000.00 for punitive damages caused by Defendant(s) breaching of care and fiduciary duty. Thus, violated claimaints Civil Rights and Universal Declaratory Human Rights that must be protected by "rule of law" without discrimination. That include the right to life, liberty and freedom against tyranny and oppression.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: July 30th 2021

Signature of Plaintiff

Printed Name of Plaintiff

Malik Shakur
Malik Shakur

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

City State Zip Code

(405) 977 8084
Pureegyptian0112@gmail.com

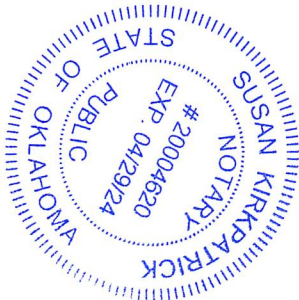
1100 NE 16th OKC OK 73117

Certificate of Service

I hereby certify that on (date) 30th of July, I filed the attached document with
the Clerk of Court and served the attached document by (service method)
of Email or Fax and by U.S. Mail on the following, who are
not registered participants of the Electronic Case Filing System: (insert names and addresses)

- 1.) City of Moore, 301 N. Boardway Avenue , Moore, Oklahoma, 73160, email: rbrink@cityofmoore.com
- 2.) City of Moore Police Department, 117 E Main Street, Moore, Oklahoma, 73160, Attention: Sgt. Jeremy Lewis
- 3.) City of Moore Department of Human Services/Adult Protection Services, 2401 N Lincoln Blvd #4, Oklahoma City, Oklahoma, 73105, email: shana.wood@okdhs.org Attention: Shanna Wood /APS III
- 4.) City of Moore Department of Human Services Attorney Charles M. Jackson, PO Box 25352, OKC, KC 73105

Malik Shakur
Signature



Susan Kirkpatrick
7/30/2021